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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/068,017 | 02/05/2002 | Joseph Vander Aa | 215296 | 7223 |

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EXAMINER

FUNK, STEPHEN R

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2854

DATE MAILED: 06/04/2003

4

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
10/068,017

Applicant(s)
Vander Aa et al.

Examiner
Stephen Funk

Art Unit
2854



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 3 6) ☐ Other: _____

The disclosure is objected to because of the following informalities: In paragraph [0034] line 10 "are only be" should be corrected. In paragraph [0047] line 2 comonomers is misspelled. Appropriate correction is required.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, and 6 - 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Teng (US 6,482,571) in view of Moss et al. (EP 640,478). Teng teaches providing an imaging material comprising a flexible lithographic base having a hydrophilic surface (column 3 line 50 - column 4 line 22) and an image recording layer (column 3 lines 16 - 19) which is removable in a single fluid ink (column 9 lines 55 - 59), image-wise exposing the recording layer to heat or light (column 3 lines 28 - 30), processing the recording layer by supplying the single fluid ink (column 3 lines 31 - 35 and column 9 lines 55 - 59) thereby obtaining a printing master, and printing by supplying the single fluid ink to the printing master which is mounted on the plate cylinder (column 3 lines 42 - 46). Teng does not teach unwinding the imaging material from a

supply spool, wrapping the imaging material around a plate cylinder, and removing the printing master from the plate cylinder. Moss et al. teach the desirability of unwinding an imaging material from a supply spool (105), wrapping the imaging material around a plate cylinder (12), and removing the printing master from the plate cylinder by winding the printing master on an uptake spool (110). See the Abstract, column 3 lines 16 - 48, and column 6 lines 24 - 34 of Moss et al., for example. It would have been obvious to one of ordinary skill in the art to provide the method of Teng with the steps of winding the imaging material from a supply spool and around the plate cylinder in view of Moss et al. so as to more quickly and easily remove an old printing master and provide a new imaging material to the plate cylinder. With respect to claim 2 see column 2 lines 56 - 59 and column 4 lines 21 - 27 of Teng. With respect to claims 6 and 7 see Figure 3 of Moss et al. With respect to claim 8 see column 3 line 50 - column 4 line 22 of Teng.

Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Teng in view of Moss et al. as applied to the claims above, and further in view of Vermeersch et al. (EP 770,494). Teng does not teach an image recording layer comprising hydrophobic thermoplastic polymer particles in a hydrophilic binder. Vermeersch et al. teach the image recording layer as recited. See the Abstract, column 1 line 58 - column 2 line 34, and column 8 line 31 - column 9 line 12 of Vermeersch et al., for example. It would have been obvious to one of ordinary skill in the art to provide the method of Teng, as modified by Moss et al., with a recording layer comprising thermoplastic particles in a hydrophilic binder in view of Vermeersch et al. so as to provide an economically friendly printing master having excellent printing properties.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Teng in view of Moss et al. as applied to claims 1, 2, and 6 - 8 above, and further in view of Vermeersch et al. (US 5,786,128). Teng does not teach an image recording layer comprising aryldiazosulfonate. Vermeersch et al. teach the image recording layer as recited. See the Abstract and column 2 lines 13 - 54 of Vermeersch et al., for example. It would have been obvious to one of ordinary skill in the art to provide the method of Teng, as modified by Moss et al., with a recording layer comprising aryldiazosulfonate in view of Vermeersch et al. so as to provide a convenient, economically friendly printing master having excellent printing properties.

Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Teng in view of Moss et al. as applied to claims 1, 2, and 6 - 8 above, and further in view of Kingman et al. (US 6,140,392). Teng does not specifically teach the composition of the single fluid ink but does refer to the manufacturer Flink [sic] Ink Company as a source for an acceptable single fluid ink. See column 9 lines 55 - 59 of Teng. Kingman et al., and assignee Flint Ink Corporation, teach the single fluid ink as recited. See the Abstract, column 1 line 39 - column 2 line 17, and the paragraph bridging columns 6 and 7 of Kingman et al. It would have been obvious to one of ordinary skill in the art to provide the method of Teng, as modified by Moss et al., with the single fluid ink of Kingman et al. in view of the specific suggestion by Teng and to provide a single fluid ink having more stability and higher definition.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See column 9 of Teng ('595) and column 3 lines 27 - 39 of Held ('549).

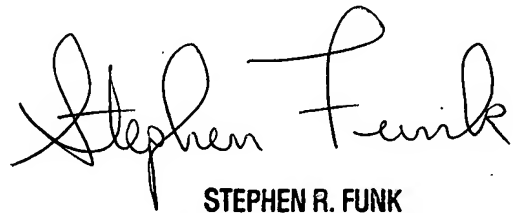
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Funk at telephone number (703) 308-0982. The examiner can normally be reached Monday - Thursday from 7:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Drew Hirshfeld, can be reached at (703) 305-6619.

The fax number for *official* papers is (703) 308-7722, 7724. The fax number for those wishing an auto-reply verifying receipt of *official* papers is (703) 872-9318 or for After-Final actions is (703) 872-9319. Upon consulting with the examiner *unofficial* papers only may be faxed directly to the examiner.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist at telephone number (703) 308-0956.

Stephen Funk
May 28, 2003



STEPHEN R. FUNK
PRIMARY EXAMINER